

030904



17224 U.S. PTO

Practitioner's Docket No. D-1243
Proposed Class: 235
Subclass: 279
Art Unit: 2876

PATENT

22390 U.S. PTO
10/796506

030904

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Jeffery M. Enright, Thomas S. Mason, Dean Stewart, Dale H. Blackson, and Natarajan Ramachandran

For (title): CASH DISPENSING AUTOMATED BANKING MACHINE WITH IMPROVED FRAUD DETECTION CAPABILITIES

1. Type of Application

This transmittal is for an original Continuation-in-Part (CIP) application

CERTIFICATION UNDER 37 C.F.R. 1.10*

(Express Mail label number is **mandatory**.)

(Express Mail certification is optional.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date March 9, 2004, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EV 397096223 US, addressed to the: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Ralph E. Jocke

(type or print name of person mailing paper)

Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

2. Benefit of Prior U.S. Application (35 U.S.C. § 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are added pages for new application transmittal where benefit of prior U.S. application(s) claimed.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

65 Page(s) of Specification
5 Page(s) of Claims
19 Sheet(s) of Drawing(s)—Formal

B. Other Papers Enclosed

8 Page(s) of Declaration and Power of Attorney
3 Page(s) of Assignment
7 Page(s) of Application Data Sheet
3 Page(s) of Information Disclosure Statement
1 Page(s) of Abstract

4. Declaration or Oath

Enclosed, executed by inventors.

5. Inventorship Statement

The inventorship for all the claims in this application is not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made will be submitted.

6. Language

English

7. Assignment

An assignment of the invention to Diebold, Incorporated is attached. Form PTO-1595 is also attached.

8. Fee Calculation (37 C.F.R. § 1.16)

Regular application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$770.00
Total Claims (37 CFR 1.16(c))	27	- 20 =	7 x	\$18.00	\$126.00
Independent Claims (37 CFR 1.16(b))	1	- 3 =	0 x	\$86.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$290.00	\$0.00
Filing Fee Calculation					\$896.00

9. Fee Payment Being Made at This Time

Enclosed is filing fee	\$896.00
Recording assignment (\$40.00; 37 C.F.R. § 1.21(h)) (See attached Form PTO 1595.)	\$ 40.00
TOTAL FEES ENCLOSED:	\$936.00

10. Method of Payment of Fees

Charge Account No. 09-0428 in the amount of \$936.00

A duplicate of this transmittal is attached.

11. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 09-0428.

37 C.F.R. § 1.16(a), (f) or (g) (filing fees)
37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)
37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).
37 C.F.R. § 1.17 (application processing fees)

12. Instructions as to Overpayment

Credit Account No. 09-0428

13. Incorporation by reference of added pages

Plus added pages for new application transmittal where benefit of prior U.S. application(s) claimed.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT
OF PRIOR U.S. APPLICATION(S) CLAIMED
(37 C.F.R. § 1.78)**

14. Relate Back

This application claims the benefit of U.S. Provisional Application(s) No(s).:

A. 35 U.S.C. § 119(e)

APPLICATION NO(S):	FILING DATE
60/453,365	3/10/2003

15. Language of Prior Filed Provisional Application

The above-identified prior filed provisional application whose benefit is being claimed was filed in the English language.

B. 35 U.S.C. §§ 120, 121 and 365(c)

This application is a continuation-in-part of copending application(s)

APPLICATION NO(S).:**FILING DATE**

10/601,950

06/23/2003

09/414,249

10/07/1999

The nonprovisional application designated above, namely application 10/601,950, filed 06/23/2003, claims the benefit of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:**FILING DATE**

60/429,478

11/26/2002

and Nonprovisional Application No. 09/414,249 claims the benefit of U.S. Provisional Application No. 60/103,731.

16. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed.

The inventorship for all the claims in this application are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made will be submitted.

**SIGNATURE OF PRACTITIONER**

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Ralph E. Jocke
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231 South Broadway
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffery M. Enright, et al.)
Serial No.:)
Filed: Herewith)
Title: Cash Dispensing Automated Banking)
Machine with Improved Fraud Detection)
Capabilities)

Non-Publication Request Pursuant To 37 C.F.R. § 1.213

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

THE ABOVE-REFERENCED APPLICATION FILED HERewith IS NOT TO BE
PUBLISHED UNDER 35 U.S.C. § 122(b).

It is hereby certified that the invention disclosed in the above-referenced application has not been and (unless this non-publication request is first rescinded in accordance with 37 C.F.R. § 1.213(b)) will not be the subject of an application filed in another country, or filed under a multilateral agreement, that requires publication of the application at eighteen (18) months after filing.

Respectfully submitted,



Ralph E. Locke
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